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LOK SABHA

The following Bills were introduced in Lok Sabha on the 10th April, 1964:—

BILL NO. 21 OF 1964

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 1964. Short title
and com-
mence-
ment.

5 (2) It shall come into force at once.

2. In article 217 of the Constitution, for sub-clause (b) of clause (2), the following shall be substituted, namely,-- Amend-
ment of
article 217.

10 “(b) has for at least ten years practised actively as an advocate in a High Court or two or more such Courts in succession, and has had an income from such legal practice not less than the salary of a Judge of a High Court during the last three years prior to his appointment as a Judge of a High Court.”

STATEMENT OF OBJECTS AND REASONS

The intention behind article 217(2) (b) is that an advocate may be appointed a Judge of a High Court if he has practised actively in a High Court for at least ten years. The present clause is, however, not happily worded. An advocate may be on the roll of a High Court and yet may confine himself to courts other than a High Court or may appear before a High Court in a few cases only.

Besides impartiality and independence, integrity and honesty are necessary qualifications to become a Judge of a High Court and therefore an advocate having an income equal to the salary of a Judge of a High Court only should be appointed a Judge of a High Court.

Hence the Bill.

NEW DELHI;

PURUSHOTTAMDAS R. PATEL.

The 31st January, 1964.

BILL No. 29 OF 1964

A Bill further to amend the Constitution of India.

BE it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. (1) This Act may be called the Constitution (Amendment) Act, 1964.

Short title
and com-
mencement.

5 (2) It shall be deemed to have come into force on the 5th September, 1964, or on such date as the President may, by notification in the Official Gazette, appoint.

2. In the Seventh Schedule to the Constitution,—

(1) in List II—State List, entry 11 shall be omitted.

Amendment
of the
Seventh
Schedule.

10 (2) in List III—Concurrent List, after entry 25, the following new entry shall be inserted, namely:—

“25A. Education including universities, subject to the provisions of entries 63, 64, 65 and 66 of List I.”

STATEMENT OF OBJECTS AND REASONS

The task of reconstructing the educational system and to foster its creative development is a task of supreme national importance. Educational integration is a primary pre-requisite of national integration. The objective of educational integration would remain a far cry unless the Union jurisdiction is extended to cover the field of education concurrently with the States.

Hence the Bill.

NEW DELHI;
The 9th March, 1964.

L. M. SINGHVI

BILL NO. 28 OF 1964

A Bill further to amend the Salaries and Allowances of Members of Parliament Act, 1954.

Be it enacted by Parliament in the Fifteenth Year of the Republic of India as follows:—

1. This Act may be called the Salaries and Allowances of Mem- Short title.
bers of Parliament (Amendment) Act, 1964.

5 2. In section 3 of the Salaries and Allowances of Members of Amendment
Parliament Act, 1954 (hereinafter referred to as the principal Act),— of section 3.

(1) for the words “four hundred rupees”, the words “five
hundred rupees” shall be substituted; and

10 (2) for the words “twenty-one rupees”, the words “thirty-
one rupees” shall be substituted.

3. In section 5 of the principal Act, in the proviso, the following Amendment
words shall be added at the end, namely,— of section 5.

30 of 1954.

“except that a member having his place of residence beyond
750 kilometers from the place where a session is held, shall be
15 entitled to two air-fares for forward and return journeys in
each session of a duration of more than 2½ months and one air-
fare in a session of lesser duration, even though the air-fare
may be in excess of the total amount of the daily allowance
which should have been admissible to such member if he had
20 not remained absent”.

STATEMENT OF OBJECTS AND REASONS

The emoluments of members provided in the parent Act are inadequate in relation to the high cost of living. Members of Parliament have to incur considerable expenses on account of various demands of public life. They have to maintain two establishments most of the time. It is, therefore, proposed to raise their salary and daily allowance.

2. Members having their places of residence beyond 750 kilometers from Delhi are greatly inconvenienced for lack of air travel facilities for intermediate journeys under the existing Act. To mitigate their hardship it is proposed to entitle them to two return air journeys during a session of 2½ months duration and one return air journey for a session of lesser duration.

NEW DELHI;

RAGHUNATH SINGH.

The 3rd April, 1964.

FINANCIAL MEMORANDUM

The provisions of the Bill if enacted would involve an additional expenditure of approximately Rs. 13,50,000 in Daily Allowance and approximately Rs. 9,00,000 on account of increase in salary. It is difficult to assess the expenditure on account of the provision of intermediate air journeys. It is, however, likely that an expenditure of about Rs. 10,00,000 may have to be incurred on this account.

M. N. KAUL,
Secretary.

